

**COMMISSIONERS' MINUTES
KITITAS COUNTY, WASHINGTON
PUBLIC HEARING**

TUESDAY

4:00 P.M.

JANUARY 20, 2004

Board members present: Chairman Perry Huston, Vice-Chairman Bruce Coe and Commissioner Max A. Golladay.

Others: Julie Kjorsvik, Clerk of the Board; David Taylor, Community Development Services Director; Paul Bennett, Public Works Director; Allison Kimball, Community Development Services Operations Supervisor; Kelly Carlson, Public Works Department Administrative Assistant; Joy Potter, Public Works Department; James Hurson, Deputy Prosecutor; and approximately 15 members of the public.

PUBLIC HEARING S. THORP HWY. & KOA CAMPGROUND PUBLIC WORKS

At approximately 4:00 p.m. **CHAIRMAN HUSTON** opened the continued public hearing to consider vacating a portion of the County right-of-way adjacent to the South Thorp Highway and K.O.A. Campground.

PAUL BENNETT presented a staff report. He indicated that he had met with the applicant's engineer & discussed other options that could possibly be approved by the County. He read a letter from the applicant's engineer, requesting a continuance of the public hearing, until April or May, so he could review the suggestions with his clients, who are currently out of town. He said the Board could either continue the hearing or dismiss the application without prejudice and consider crediting them for another application fee in the future.

THOSE PRESENT & TESTIFYING: KELLY KEATING, an adjacent property owner, did not have a problem with the request, but was concerned with the access to his property being blocked. He said if the realignment moved his access further away, it would put his approach too close to the freeway for ingress & egress. **THERE BEING NO OTHERS REQUESTING TO TESTIFY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

CHAIRMAN HUSTON said he was prepared to dismiss the application without prejudice and have them resubmit an entire new application, once they have decided what option they would like to do. **COMMISSIONER COE** said he could not see a reason to waive the application fee for the parties, only because the applicants were out of town.

COMMISSIONER GOLLADAY moved to dismiss the application without prejudice, and said the applicant could reapply at a later date, noting it was subject to a reapplication fee and process. **COMMISSIONER COE** seconded. Motion carried 3-0.

PUBLIC HEARING FAUST ROAD RIGHT-OF-WAY PUBLIC WORKS

CHAIRMAN HUSTON opened the public hearing continued from December 2, 2003, to consider the vacation of a portion of Faust Road.

PAUL BENNETT, PUBLIC WORKS DIRECTOR reviewed his staff report. He disclosed that there was an onsite meeting December 10, 2003 with Board of County Commissioners, the Public Works Director and several members of the public, to walk the grounds of the area in question. Upon completion of his staff report, he recommended declaring Faust Road from MP 0.46 to MP 0.58, as shown on the County road log prior to the realignment of Faust Road, as unnecessary to the transportation system for Kittitas County, and to authorize the vacation of said right-of-way. He recognized receipt of a letter from Javier Figueroa, Manager, Land Program from the Washington State Parks and Recreation Commission, expressing their support for the vacation.

COMMISSIONER COE clarified the turnaround, mail delivery and maintenance. **COMMISSIONER GOLLADAY** asked if the option of declaring it a primitive road was reviewed. **MR. BENNETT** said they had not looked into that option, but said it would still need to address all of the safety hazards.

THOSE PRESENT & TESTIFYING: PAT TAYLOR commented on the Olson ditch, and said he did not favor either way. **ART SINCLAIR** said he may not have a problem with putting in a cul-de-sac and having the County maintain it, but did express concerns with the approach. **MR. BENNETT** said the approach already meets county road standards, however, it could be improved if the Board desired. **THERE BEING NO ADDITIONAL TESTIMONY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

COMMISSIONER COE indicated he liked the idea of putting in a cul-de-sac. He was disturbed State Parks was not in attendance at the public hearing. He was not convinced that the right-of-way could not be shared below, but did not want to give up ownership with the southern right-of-way portion, just because of State Parks. He felt the issue could come up again in the future. **COMMISSIONER GOLLADAY** said he anticipated a problem, if and when they build trailhead. **CHAIRMAN HUSTON** questioned why access to trailhead would not be better accessed on the southern portion.

COMMISSIONER COE moved to deny the request to vacate the portion of Faust Road, and to direct staff to prepare enabling documents for the Boards consideration for the February 3, 2004, at the Commissioner's Agenda. **COMMISSIONER GOLLADAY** seconded. Motion carried 3-0.

PUBLIC HEARING

OLD SUNSET HIGHWAY

PUBLIC WORKS

CHAIRMAN HUSTON opened the public hearing to consider vacating a portion of Old Sunset Highway.

PAUL BENNETT, PUBLIC WORKS DIRECTOR, recognized letter dated January 6, 2004 from Attorney F. Steven Lathrop, requesting to withdraw the proposal. Mr. Lathrop requested to withdrawal the letter dated January 6, 2004, but requested a continuance of the public hearing. **THERE WAS NO ONE IN ATTENDANCE WISHING TO TESTIFY.**

COMMISSIONER GOLLADAY moved to continue the public hearing to consider vacating a portion of Old Sunset Highway, to Tuesday March 16, 2004 at 4:00 p.m. in the Commissioner's

Auditorium. **COMMISSIONER COE** seconded. Motion carried 3-0. It was noted that the record was to remain open.

PUBLIC HEARING

SNOWMOBILES

PUBLIC WORKS

CHAIRMAN HUSTON opened the public hearing to consider opening Kachess River Road from M.P. 0.00 to M.P. 0.48, and Evergreen Way from M.P. 0.00 to M.P. 0.20 to Snowmobile Traffic.

PAUL BENNETT, PUBLIC WORKS DIRECTOR presented his staff report, along with a draft Ordinance, which would open Kachess River Road from MP 0.00 to MP 0.48 and Evergreen River Road to snowmobile traffic. He recommended opening the roads with no changes to the snowplow operations that would create snowmobile paths on the county roads. **COMMISSIONER GOLLADAY** questioned the differences in speed limits between snowmobiles and automobiles. **MR. BENNETT** clarified it was consistent with past practice within the county (for example: Salmon La Sac Road). He recognized correspondence received from Jill and Jeff Davenport.

THOSE PRESENT & TESTIFYING: KATYA ALLEN, SECRETARY AND TREASURER OF THE HOME OWNERS ASSOCIATION spoke in favor of opening the roads to snowmobile traffic. She said 41 of the 52 lot owners participated in snowmobiling. **MARY JOHNSON** representing self and husband, supported opening up the roads to snowmobiles. **BRYAN WEINER** spoke in favor of the request, on behalf of himself and his father. **JAMES HURSON, DEPUTY PROSECUTOR** explained the differences in speed limits, stating that 14 year olds are of age to snowmobile on road, however, they may not be coordinated enough and have enough reaction time for issues relating to safety. **THERE BEING NO OTHERS IN ATTENDANCE TO TESTIFY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

COMMISSIONER GOLLADAY moved to approve the request to open Kachess River Road from M.P. 0.00 to M.P. 0.48, and Evergreen Way from M.P. 0.00 to M.P. 0.20, to snowmobile traffic, and to direct staff to prepare enabling documents for the Boards consideration during the February 3, 2004 Commissioner Agenda. **COMMISSIONER COE** seconded. Motion carried 3-0.

PUBLIC HEARING

BROWN ROAD

PUBLIC WORKS

CHAIRMAN HUSTON opened the public hearing to consider a Non-Exclusive Irrigation Franchise to use County Roads, rights-of-way and other County property within Kittitas County.

PAUL BENNETT, PUBLIC WORKS DIRECTOR reviewed a proposed Franchise agreement between Robert M. Gardinier and Kittitas County.

THERE BEING NO PUBLIC WISHING TO TESTIFY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.

COMMISSIONER COE moved to approve and authorize the Board to sign a Non-Exclusive Irrigation Franchise Agreement with Robert M. Gardinier for Parcel #17-18-09010-0027. **COMMISSIONER GOLLADAY** seconded. Motion carried 3-0.

PUBLIC HEARING

SCHOOL AREA BUS STOPS

PUBLIC WORKS

CHAIRMAN HUSTON opened the public hearing to consider amending Kittitas County Code 10.07.030, School Area – Bus Stops.

PAUL BENNETT, PUBLIC WORKS DIRECTOR presented a staff report and made recommendations for placing no parking signs to be installed. He stated that notices had been sent out to all property owners within 300 feet of the proposed sites. He explained that a letter had been received from Ellensburg School District Transportation, to remove Coho Road from the list.

THOSE PRESENT & TESTIFYING: LORI CHAFFEE referenced a letter from the Ellensburg School District, stating they no longer had a bus stop going to Coho Road, and asked that a sign not be placed there. **LYNN HOUSDEN, DIRECTOR OF THE ELLENSBURG SCHOOL DISTRICT TRANSPORTATION**, suggested taking off Coho Road from the list, since they no longer pick children up there. **THERE BEING NO OTHER IN ATTENDANCE WISHING TO TESTIFY, THE PUBLIC TESTIMONY WAS CLOSED.**

COMMISSIONER GOLLADAY moved to continue the public hearing to February 3, 2004 to consider enabling documents approving the amendments to Kittitas County Code 10.07.030, and to direct staff to remove Coho Road from the list. **COMMISSIONER COE** seconded. Motion carried 3-0.

PUBLIC HEARING

RINGLER, BERRY, HASKELL

PUBLIC WORKS

CHAIRMAN HUSTON opened the continued public hearing to consider amendments to the Ringler, Berry and Haskell short plats.

PAUL BENNETT, PUBLIC WORKS DIRECTOR, said a complete application had been received. He reviewed each Engineers Report for the Haskell Short Plat, Berry Short Plat, and Ringler Short Plat separately. He also reviewed all the revisions that had been presented since the previous hearing.

THOSE PRESENT & TESTIFYING: GENE MARTIN verified it was accurate information that had been presented by Paul Bennett. **MARY BURKE** provided copies of information for each Board member. She questioned where the agreements were with Burkes (County & Burkes, Martin & Burkes and lot owners where the ditch passes). She clarified there was only one utility crossing across ditch for Ringler, Berry, Haskell Short Plats. **MR. MARTIN** said the amended Homeowners Association agreement reflects that the people with the three lots would have to go to Burkes for approval, prior to any work being completed in ditch. He was unsure of the exact wording, however he indicated Dave Nelson had it. **MRS. BURKE** asked before conditional

upon approving, that the language be included and recorded. **ERIC WOLF** said there were easements and right-of-ways in place that were not totally agreed upon by the parties. **THERE BEING NO OTHER TESTIMONY THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

COMMISSIONER GOLLADAY moved to continue public hearing to 3:00 p.m. February 17, 2004, direct staff to prepare enabling documents granting amendments to the Berry, Haskell and Ringler Short Plats, on the condition that language proposed to the Homeowners Association concerning no work would be conducted on the Burke Hartmans ditch, without prior permission from the owners of the ditch. **COMMISSIONER COE** seconded. Motion carried 3-0.

PUBLIC HEARING MOUNTAIN CREEK DRIVE RIGHT OF WAY PUBLIC WORKS

CHAIRMAN HUSTON opened the continued public hearing to consider vacating a portion Mountain Creek Drive right-of-way.

PAUL BENNETT, PUBLIC WORKS DIRECTOR reviewed a staff report and recommended vacating the portion of Mountain Creek Drive right-of-way.

THOSE PRESENT & TESTIFYING: MARY BURKE expressed concerns with condition #6, eliminating the road would eliminate potential impacts or conflicts with the Burke-Hartman irrigation ditch. She recommended adding that the existing road that has been used for some time has replaced the access. **THERE BEING NO ADDITIONAL TESTIMONY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.**

CHAIRMAN HUSTON said that until the plat amendments have been sent forward, the amendments have not been “approved”. He suggested the enabling documents be prepared approving the vacation, for February 17, 2004 at 3:00 p.m. following the Ringler, Berry and Haskell Short Plat amendments.

COMMISSIONER GOLLADAY moved to direct staff to prepare enabling documents, granting the vacation of a portion of Mountain Creek Drive right-of-way, to be placed on the February 17, 2004 Commissioner Agenda. **COMMISSIONER COE** seconded. Motion carried 3-0.

COMMISSIONER GOLLADAY questioned if a note should be placed relating to the 40’ irrigation ditch? **MRS. BURKE** said the road was put there because the existing road was to have been abandoned before. She said she did not intend to take away a road to access to ditch. **COMMISSIONER HUSTON** had no problem with language. **JAMES HURSON, DEPUTY PROSECUTOR** said they could include the condition as part of the Resolution approving the short plat amendments.

CLERK OF THE BOARD

**KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON**

Julie A. Kjorsvik

Perry D. Huston, Chairman